

# ZILKA-KOTAB

PC  
ZILKA, KOTAB & PEECE™

RECEIVED  
CENTRAL FAX CENTER  
JUN 27 2005

95 SOUTH MARKET ST., SUITE 420  
SAN JOSE, CA 95113

TELEPHONE (408) 971-2573  
FAX (408) 971-4660

**FAX COVER SHEET**

Date: June 27, 2005	Phone Number	Fax Number
To: Petitions Division, USPTO		(703) 872-9306
From: Dominic M. Kotab		

Docket No.: HIT1P020A/SJ0920010068US2

App. No: 10/601,021

Total Number of Pages Being Transmitted, Including Cover Sheet: 12

**Message:**

Please deliver to the Petitions Division.

Thank you,

Dominic M. Kotab

☐ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

\*\*\*\*\*  
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.  
\*\*\*\*\*

IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU ENCOUNTER  
ANY OTHER DIFFICULTY, PLEASE PHONE Erica  
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

June 24, 2005

JUN 27 2005

Practitioner's Docket No. HIT1P020A/SJ0920010068US2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Douglas Werner

Application No.: 10/601,021

Group No.: 3729

Filed: 06/19/2003

Examiner: Kim, Paul D.

For: PLANAR GAP PRE-FILL METHOD FOR READ HEADS

## Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
— OFFICE ACTION NOT RECEIVED

1. I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Office Action forming the basis of the abandonment was not received.
2. I hereby state:
  - (a) The Office Action indicated, as mailed on August 26, 2004, was not received.
  - (b) A search of the file jacket and the docket records in my office indicates that this Office Action was not received.
  - (c) The PAIR site indicates that the Office Action was returned to the USPTO as undeliverable on August 26, 2004.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

\_ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

\_ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

\_ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (703) 872-9306.Date: 6-27-2005

Signature

Nancy Rushton

(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Petition to Withdraw Holding of Abandonment—Office Action Not Received--page 1 of 2